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6 IN THE UNITED STATES DISTRICT COURT
7 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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9 JANE DOES I, et al.,

No. C 02-5570 WHA (MEJ)

10 Plaintiffs,

11 vs.

12 LAKIREDDY BALI REDDY, et al.,

ORDER DENYING DEFENDANTS'
REQUEST FOR PRODUCTION OF
PLAINTIFFS' ENTIRE IMMIGRATION
FILES

13 Defendants.
14 _____/

15 On December 12, 2003, the parties in the above-captioned matter filed a joint discovery dispute
16 letter in which Defendants requested an order compelling Plaintiffs to produce their Department of
17 Homeland Security immigration files. Defendants specifically requested access to Plaintiffs' asylum files
18 under 8 C.F.R. § 208.6, which required Plaintiffs to sign written release forms before the Department of
19 Homeland Security could release the files. Upon review of the December 12, 2003 letter, the Court found
20 that any order compelling Plaintiffs to produce their immigration files may lead to duplicative discovery and
21 ordered Plaintiffs to submit a declaration to Defendants detailing previous discovery related to Plaintiffs'
22 immigration files. Order Re: Defendants' Request for Production of Plaintiffs' Immigration Files, December
23 16, 2003. In its Order, the Court stated that if it was Plaintiffs' position that the entire immigration files of
24 each plaintiff had already been produced, they should declare this position clearly in their submission.

25 Now before the Court is the parties' follow-up letter to this dispute, filed on January 30, 2004.
26 Defendants argue that Plaintiffs are refusing to confirm that all immigration materials, either in their
27 possession or subject to access upon their request, have been produced. Defendants request the Court
28 order Plaintiffs to create an additional declaration showing compliance with Paragraph 7 of Judge Alsup's

1 Supplemental Standing Order and indicating whether Plaintiffs' entire immigration files have been produced.
2 Plaintiffs respond that they have fully complied with this Court's December 16, 2003 Order and satisfied
3 the requirements under 8 C.F.R. § 208.6. Plaintiffs contend that Defendants are attempting to broaden the
4 scope of this Court's December 16, 2003 Order to include files that were not previously under dispute.
5 Plaintiffs further state that no immigration files are being hidden or withheld.

6 Upon review of the parties' letter, the Court finds that Defendants are improperly seeking to
7 broaden their original discovery request and broaden the scope of this Court's previous Order. The
8 December 16, 2003 Order related to the immigration files in dispute under the December 12, 2003 letter,
9 specifically files which required a release under 8 C.F.R. § 208.6. The December 16, 2003 Order did not
10 expand Plaintiffs discovery obligations to their entire immigration files. Rather it sought to clarify Plaintiffs'
11 previous production efforts.

12 Plaintiffs submitted a Declaration by Michael Rubin in Response to the Court's December 16, 2003
13 Order. The Court finds that Mr. Rubin's Declaration sufficiently satisfied this Court's Order by indicating
14 that all the immigration files in dispute under 8 C.F.R. § 208.6 had been released to Defendants or were
15 already in their possession. Plaintiffs are not required to perform additional Rule 34 search(es) of
16 immigration files which Plaintiffs received from Defendants. The Court finds that Mr. Rubin's Declaration
17 satisfies Paragraph 7 of Judge Alsup's Supplemental Standing Order by specifying all immigration
18 documents received by and produced to Defendants. Accordingly, Plaintiffs need not conduct further
19 searches nor create additional declarations beyond that which was required under the December 16, 2003
20 Order.

21 IT IS SO ORDERED.

22 Dated: February 4, 2004

/s Maria-Elena James
MARIA-ELENA JAMES
United States Magistrate Judge